

DOCKET NO.: ISIS-5582
Application No.: 10/510,667
Advisory Action mailed: November 29, 2007

PATENT

REMARKS

Claims 1, 4, 11-18 and 20 are pending. Claims 2, 3, 5-10 and 24-41 are canceled and claims 19 and 21-23 are withdrawn. Applicants request amendments to claim 1. The basis for the amendments can be found throughout the specification. No new matter has been added.

Rejection under 35 USC § 102(b) in view of Uhlmann

Claims 1-4, 11-18 and 20 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Uhlmann et al. (US 6,033,909). The Examiner asserts that Uhlmann et al. disclose oligonucleotides having the formula shown in claim 1. Applicants respectfully traverse this rejection.

Claim 1, as amended, is directed to an oligomeric compound of the formula shown in claim 1 wherein T₂ is hydroxyl or a protected hydroxyl. Instant claims 4, 11-18 ultimately depend from claim 1 and include every limitation thereof. Applicants respectfully submit that the oligonucleotides disclosed by Uhlmann et al. do not contain hydroxyl or a protected hydroxyl at the 3' position of the ribose. Absent such a disclosure, Uhlmann et al. does not teach each and every element of the claimed subject matter, and thus does not anticipate claims 1-4, 11-18 and 20. Reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b) are respectfully requested.

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Applicants believe the foregoing constitutes a complete response to the Office Action and submit that all pending claims are in condition for allowance.

Applicants respectively request a two month extension of time making the new due date February 26, 2008. The Commissioner is authorized to charge the two month extension fee, \$460, and any additional fees to Deposit Account 50-0252, referencing docket number ISIS-5582.

Respectfully submitted,

Date: 2-25-08

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